

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARCEL FASHIONS GROUP, INC.,

Plaintiff,

-v-

No. 11 CV 5523-LTS

LUCKY BRAND DUNGAREES, INC.,

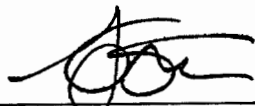
Defendants.
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ORDER

On December 22, 2016, this Court issued a Memorandum Opinion and Order granting Defendants' motion to dismiss the operative Second Amended Complaint. (Docket entry no. 172.) In that Opinion, the Court granted Plaintiff leave to move for permission to file an amended pleading by January 9, 2017, noting that if no motion were timely filed, "the dismissal of the Second Amended Complaint will be with prejudice and judgment will be entered in Defendants' favor without further advance notice." (*Id.* at p. 11.) Plaintiff sought a stay of the Court's order, which was denied. (Docket entry no. 174.) As of January 25, 2016, Plaintiff has not moved for leave to file an amended complaint. Accordingly, the Clerk of Court is respectfully requested to enter judgment for Defendants and close this case.

SO ORDERED.

Dated: New York, New York
January 26, 2017



LAURA TAYLOR SWAIN
United States District Judge

